

ARTICLE APPEARED  
ON PAGE B14

NEW YORK TIMES  
19 February, 1985

## CBS NEWS RELIEVED OF BURDEN OF SUIT

Official Foresees No Changes  
in Network's Procedures  
in Wake of Settlement

By MICHAEL ORESKES

CBS News began work today for the first time in three years relieved of the burden of defending the integrity of its 1982 documentary on Vietnam troop strength.

"I was exhilarated," Van Gordon Sauter, the executive vice president of the CBS Broadcast group, said yesterday in the wake of Gen. William C. Westmoreland's decision to drop his \$120 million suit charging that the documentary, "The Uncounted Enemy: A Vietnam Deception," had libeled him.

"For the last three years," Mr. Sauter said, "in one way or another, this has been a part of every day in one's life."

Mr. Sauter said CBS planned no changes in its news-gathering operations. He said the producer of the documentary, George Crile, would return to work at his old job in the documentary unit.

For the last two years Mr. Crile has worked full time on CBS's defense of the documentary.

CBS also said in a statement that Mike Wallace, who was the narrator of the Vietnam documentary and a defendant in the case, would be resuming full-time reporting for the "60 Minutes" program. Mr. Wallace had curtailed his work for "60 Minutes" so he could be available to testify at the libel trial, a CBS spokesman, Sara Vass, said.

### 'Good Day for Journalism'

Mr. Wallace, who was to have testified today, said yesterday that the end of the trial marked "a good day for journalism."

Mr. Sauter spoke at an afternoon news conference at the Dorset Hotel, on West 54th Street, before a score of microphones and a bank of 13 television cameras.

Asked if CBS planned any changes in procedures now that the case was over, Mr. Sauter replied, "No."

During the news conference both Mr. Sauter and the chief lawyer for CBS, David Boies, were careful not to characterize General Westmoreland's decision to end his libel suit as a victory for CBS. They also said there had been no celebration after the agreement to end the case was reached.

### Speculation on Perceptions

But afterward, Mr. Sauter, sipping a diet soda as he stood in a corner of the press-conference room, said in response to a question that he believed CBS would be seen as the victor over General Westmoreland's complaint.

"Particularly after a spate of headlines about former Westmoreland colleagues being highly critical of him and then this sudden and totally unexpected withdrawal," Mr. Sauter said, "I think the public will probably presume there's something significantly wrong with that plaintiff's case or that there was a great apprehension to its credibility with the jury."

Mr. Sauter said he was confident CBS would have won before the jury.

Mr. Boies and Mr. Sauter both said CBS had agreed to a settlement because, as Mr. Boies put it, "When a plaintiff wants to settle without any money and without any apology, I think you ought to let him."

Mr. Boies said CBS and the three individual defendants agreed with that.

But outside the hotel, Samuel A. Adams, the third individual defendant and the only one who is not a full-time employee of CBS, expressed doubts. Mr. Adams, a former C.I.A. analyst who was a paid consultant to CBS for the documentary, said he would have preferred to see a jury verdict upholding the documentary.

Mr. Adams did not sign the agreement between General Westmoreland and CBS, although the general's decision to withdraw the charges covers him as well.

Mr. Adams said he did not know why CBS accepted the general's decision to end the case. But then he added: "If the general had lost, it would have been very hard on him."